

The Sarais Act, 1867

(ACT NO. XXII OF 1867)

2♣An Act for the regulation of public Sarais and Puraos.

Preamble

WHEREAS it is expedient to provide for the regulation of public Sarais and Puraos: It is hereby enacted as follows:-

- [Repealed]** 1. [Repealed by the Amending Act, 1891 (XII of 1891).]
- Interpretation-
clause** 2. In this Act, unless there be something repugnant in the subject or context,-
- “Sarai”** "sarai" means any building used for the shelter and accommodation of travellers, and includes, in any case in which only part of a building is used as a sarai, the part so used of such building. It also includes a purao so far as the provisions of this Act are applicable thereto.
- “ Keeper of
a Sarai”** "keeper of a sarai" includes the owner and any person having or acting in the care or management thereof:
- “Magistrate
of the
District”** Magistrate of the District" means the chief officer charged with the executive administration of a district in criminal matters whatever may be his designation:
- Notice of
this Act to
be given to
keepers of
sarais** 3. Within six months after this Act shall come into operation, the Magistrate of the District in which any sarai to which this Act shall apply may be situate shall, and from time to time thereafter such Magistrate may, give to the keeper of every such sarai notice in writing of this Act, by leaving such notice for the keeper at the sarai; and shall by such notice require the keeper to register the sarai as by this Act provided.

Such notice may be in the form in the Schedule to this Act annexed or to the like effect.

Registers of sarais to be kept

4. The Magistrate of the District shall keep a register in which shall be entered by such Magistrate or such other person as he shall appoint in this behalf, the names and residences of the keepers of all sarais within his jurisdiction, and the situation of every such sarai.

No charge shall be made for making any such entry.

Lodgers, etc., not to be received in sarais until registered

5. After one month after the giving of such notice to register as by this Act provided, the keeper of any sarai or any other person shall not receive any lodger or allow any person, cattle, sheep, elephant, camel or other animal, or any vehicle, to halt or be placed in such sarai until the same and the name and residence of the keeper thereof shall have been registered as by this Act provided.

Magistrate may refuse to register keeper not producing certificate of character

6. The Magistrate of the District may, if he shall think fit, refuse to register as the keeper of a sarai a person who does not produce a certificate of character in such form and signed by such person as the Government shall from time to time direct.

Duties of keepers of sarais

7. The keeper of a sarai shall be bound-

(1) when any person in such sarai is ill of any infectious or contagious disease, or dies of such disease, to give immediate notice thereof to the nearest police-station:

(2) at all times when required by any Magistrate or any other person duly authorized by the Magistrate of the District in this behalf, to give him free access to the sarai and allow him to inspect the same or any part thereof:

(3) to thoroughly cleanse the rooms and verandahs, and drains of the sarai, and the wells, tanks, or other sources from which water is obtained for the persons or animals using it, to the satisfaction of, and so often as

shall be required by, the Magistrate of the District, or such person as he shall appoint in this behalf:

(4) to remove all noxious vegetation on or near the sarai, and all trees and branches of trees capable of affording to thieves means of entering or leaving the sarai:

(5) to keep the gates, walls, fences, roofs and drains of the sarai in repair:

(6) to provide such number of watchmen as may, in the opinion of the Magistrate of the District, subject to such rules as the Government may prescribe in this behalf, be necessary for the safety and protection of persons and animals or vehicles lodging in, halting at or placed in the sarai; and

(7) to exhibit a list of charges for the use of the sarai at such place and in such form and languages as the Magistrate of the District shall from time to time direct.

Power to order reports from keepers of sarais

8. The keeper of a sarai shall from time to time, if required so to do by an order of the Magistrate of the District served upon him, report, either orally or in writing as may be directed by the Magistrate to such Magistrate or to such person as the Magistrate shall appoint, every person who resorted to such sarai during the preceding day or night.

If written reports are required for any space of time exceeding a single day or night, schedules shall be furnished by the Magistrate of the District to the keeper.

The keeper shall from time to time fill up the said schedules with the information so required, and transmit them to the said Magistrate, in such manner and at such intervals as may from time to time be ordered by him.

Power to shut up, secure, clear and clean deserted sarais

9. If any sarai by reason of abandonment or of disputed ownership shall remain untenanted, and thereby become a resort of idle and disorderly persons, or become in a filthy or unwholesome state, or be complained of by any two or more of the neighbours as nuisance, the Magistrate of the District, after due enquiry, may cause notice in writing to be given to the owner or to the person claiming to be the owner, if he be known and